

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**ROBERT ALLEN UNGER,**  
**Plaintiff,**

**v.**

**WARDEN JAMES WHITLEY,**  
**Defendant.**

)  
)  
)  
)  
)  
)  
)

**Civil Action No. 7:16cv00471**

**ORDER**

**By: Norman K. Moon**  
**United States District Judge**

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Unger's complaint filed pursuant to 42 U.S.C. § 1983 is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim and this matter is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

**ENTER:** This 21st day of October, 2016.

  
\_\_\_\_\_  
NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE